

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

2311 RACING LLC d/b/a 23XI RACING, and  
FRONT ROW MOTORSPORTS, INC.,

Plaintiffs,

v.

NATIONAL ASSOCIATION FOR STOCK  
CAR AUTO RACING, LLC and JAMES  
FRANCE

Defendants.

Civil Action No. 3:24-cv-886- KDB-SCR

**JOINT STIPULATION AS TO PLAINTIFFS' AMENDED COMPLAINT**

WHEREAS, 2311 Racing LLC d/b/a 23XI Racing (“23XI”) and Front Row Motorsports, Inc. (“Front Row”) (collectively, “Plaintiffs”) filed a Complaint (Doc. No. 1) on October 2, 2024 against National Association for Stock Car Auto Racing, LLC (“NASCAR, LLC”) and James France (collectively, “Defendants”) (Plaintiffs and Defendants collectively, the “Parties”);

WHEREAS, NASCAR Holdings, LLC is the parent entity that acquired International Speedway Corporation through Nova Merger Sub, Inc., which became International Speedway Corporation;

WHEREAS, NASCAR Event Management, LLC (“NEM”) is the entity that entered into the 2016 and 2025 Charter Agreements and operates the NASCAR Cup Series, including by entering into agreements with racetracks, and NEM owns the Automobile Racing Club of America, LLC;

WHEREAS, Defendant NASCAR, LLC denies any involvement in the conduct alleged in Plaintiffs’ Complaint;

WHEREAS, the Parties met and conferred regarding the entities at issue in this litigation and seek to resolve the issue without prejudice to the schedule set by this Court and without the need for Court intervention; and

WHEREAS, all Parties consent to Plaintiffs amending their Complaint pursuant to Federal Rule of Civil Procedure 15(a)(2) as described herein.

THEREFORE, the Parties agree that:

- Plaintiffs will file an Amended Complaint to name the following entities as defendants: NEM and NASCAR Holdings, LLC (“New NASCAR Defendants”).
- Plaintiffs’ Amended Complaint will be filed by February 4, 2025. Such amendment is made without prejudice to further amendment by Plaintiffs.
- The Parties agree that Defendants will answer the Amended Complaint and not file a motion to dismiss. New NASCAR Defendants will adopt the Answer filed by NASCAR, LLC and James France (Doc. No. 58) and the Defendants need to respond to only the paragraphs specifically identifying New NASCAR Defendants within 30 days.
- NASCAR, LLC will remain a party to this litigation at least until the resolution of NASCAR, LLC’s appeal (USCA4 Appeal: 24-2245).
- Plaintiffs’ Requests for Production served on NASCAR, LLC and James France on January 7, 2025 will be treated as if served on New NASCAR Defendants, NASCAR, LLC, and James France on January 7, 2025.
- New NASCAR Defendants will preserve all arguments and appeals as if standing in the shoes of NASCAR, LLC, and the Court’s orders regarding NASCAR, LLC will have the same effect on New NASCAR Defendants, including but not limited

to, the Court's Order on Plaintiffs' Renewed Motion for Preliminary Injunction (Doc. No. 74), Stipulated Preliminary Injunction Order (Doc. No. 94), NASCAR, LLC's Motion to Dismiss and Motion for Bond (Doc. No. 104).

For the reasons stated above, Plaintiffs and Defendants respectfully request that this Court grant the Parties' Joint Stipulation As To Plaintiffs' Amended Complaint.

Dated: January 31, 2025

Respectfully submitted,

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**ARTIFICIAL INTELLIGENCE (AI) CERTIFICATION**

I hereby certify the following:

1. No artificial intelligence was employed in doing the research for the preparation of this document, with the exception of such artificial intelligence embedded in the standard on-line legal research sources Westlaw, Lexis, FastCase, and Bloomberg;

2. Every statement and every citation to an authority contained in this document has been checked by an attorney in this case and/or a paralegal working at his/her direction as to the accuracy of the proposition for which it is offered, and the citation to authority provided.

This the 31st day of January 2025.

/s/ Jeffrey L. Kessler